

PATENT COOPERATION TREATY



Translation

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference B13849GP	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2002/004459	International filing date (day/month/year) 19 décembre 2002 (19.12.2002)	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC G21F 5/012, 5/12		
Applicant COGEMA LOGISTICS		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 07 juin 2004 (07.06.2004)	Date of completion of this report 27 July 2005 (27.07.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2002/004459

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
 pages 1-36, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages 1-20, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the drawings:
 pages 1/11-11/11, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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International application No.

PCT/FR 02/04459

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	10, 12, 14, 18-20	YES
	Claims	1-5, 6-8, 15-17	NO
Inventive step (IS)	Claims	10, 12, 14, 18-20	YES
	Claims	1-9, 11, 13, 15-17	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: DE 196 31 179 A;

D2: US 6 134 290.

2. PCT Article 6 - Clarity and interpretation of the claims

The present application does not fulfil the requirements of PCT Article 6, for the following reasons:

Claims 1, 6, 15 and 18-20

The expression *the open end of the recess* has been construed as referring to a function rather than to a structural element and is thus a non-physical means. Moreover, a connection between this opening and another element appears to be mechanically impossible. Furthermore, the figures (for example, figure 1) illustrate that said connection is between the head plate (PT), the upper end portion (ES) and the attachment system (10). It follows that the above expression casts doubt on the elements between

which the desired connection is to be made. This doubt is increased by the fact that, in the figures, there are no reference signs for said open end.

Claims 1, 5 and 15

These claims attempt to define the subject matter in terms of the result to be achieved (in a position such that the assembly is ...), yet this merely amounts to stating the basic problem that the invention is intended to solve. The technical features necessary for arriving at this result and solving the problem should be added.

The subject matter for which protection is sought has not, therefore, been defined clearly.

As far as claims 1 and 15 are concerned, additional features in the dependent claims could be used to dispel this objection.

As for claim 5, the description and the figures describe elements for suspending the assembly: the attachment system (reference sign 10 in figure 3) and the connecting member (14) and the second control member (34), the thread (38) and the internal thread (42) and the 4 jaws (78).

In a number of the claims, the terms *longitudinal* and *transverse* have been used in relation to an *axis* or *movement*. Said terms are, however, unclear because they have not been defined.

In order to clarify such claims, it would be necessary to give at least the geometric definition

of the elements to which said terms refer.

It follows that, contrary to the requirements of PCT Article 6, these claims are unclear.

3. Observations - PCT Article 33.

An examination of the application has been carried out in spite of the objections made under PCT Article 6 and in so far as the claims, in their present form, can be understood.

Claims 1-5 and 15-17

D1 discloses a device and method for locking a fuel assembly (figure 1, reference sign 3) in a recess in a transport container (figure 1, reference sign 1) including connection means (reference signs 2, 4 and 7) positioned above the upper end portion (figure 1, reference sign 7) and capable of rigidly connecting said upper end portion to the open end of said recess in a predetermined relative position such that the assembly does not contact the bottom of said recess and is supported by at least one surface (figure 1, reference sign 4; figure 3, reference sign 14) of said recess (see also the description, column 3, lines 1-27).

D1 also discloses a recess having a square cross section and a portion having a narrowed cross section that is located adjacent to the second end (figure 1, reference sign 4) and is substantially equal in size to the lower end portion.

Claim 6

In D1, the second clamping means (figure 1, reference sign 2) are attached in the open end of the recess and also attach the connecting member (7) onto the upper end portion.

Claims 7 and 8

The connecting member (figure 1, reference signs 4 and 7) includes transverse movement means (4) capable of moving the upper end portion towards the two recess surfaces.

D1 includes means (figure 1, reference signs 5 and 7) for axially moving the assembly.

The subject matter of claims 1-4, 6-8 and 14-17 is not novel.

It should be noted that the expression "supported by" does not necessarily mean that there is any direct contact.

Again, it should be noted that a *rigid connection* can be achieved by means of interlocking or even by using a shim.

Alternatively, D2 also discloses all of the features in claims 1-4, 6, 7 and 15-17. It should, in particular, be noted that the transverse movement means (figures 4 and 5, reference signs 20 and 22) are capable of moving the upper end portion (102) towards the two adjacent surfaces of said recess (18a).

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Claims 9, 11 and 13

These claims define a slight structural modification with respect to individual or collective actuation. Said modification is routine practice to a person skilled in the art and the resulting advantages are easily foreseeable. As a result, the subject matter of claims 9, 11 and 13 likewise does not involve an inventive step.

Dependent claims 5, 10, 12, 14 and 18-20

These claims contain features which, in combination with the features of the claims on which they are dependent, are not disclosed in the prior art. It follows that, subject to the objections raised with respect to clarity, these claims appear to be novel and inventive.